# EXHIBIT 1

Jefferson County
District Clerk's Office
1085 Pearl Street
Room 203
Beaumont, TX 77701
409-835-8580
Fax 409-835-8527

Family Law Division 409-835-8653

Child Support
P. O. Box 3586
Beaumont, TX 77704
409-835-8425

### JAMIE SMITH District Clerk

Date: June 4, 2015

The State of Texas

\*Plaintiff, Theresa Hayes

Case#A-197035

County of Jefferson \*Defendants, Abiyu Ahmed, PAM Transport, Inc., et al

I, Jamie Smith, Clerk of the District Court, in and for Jefferson County, Texas, do hereby certify that the above and foregoing is a true and correct copy of the entire original case hereof, attached hereto 30 pages, as same was filed and appears of record in my office.

Witness my official seal and signature of office in Beaumont, Texas, this 4<sup>th</sup> day of June, A.D., 2015.

Jamie Smith, District Clerk Jefferson County, Texas

Ву	_Jennifer Pierce	
Deputy		

#### Case 1:15-cv-00219-RC Document 1-2 Filed 06/08/15 Page 3 of 32 PageID #: 8

E-FILING

Deputy

RECEIPT FOR: FEES

Receipt No: 312070 Cause No: A-0197035 Date: 4/24/15 Style: THERESA HAYES VS ABIYU AHMED ET AL Ρ Paid By: CATT, MICHAEL 316.00 EFILE005021298-0 Bal Due: Amt Paid: COURT RECORD PRESERVATIO 10.00 10.00 RECORDS MANAGEMENT ELECTRONIC FILING FEE (\$ 2.00 RECORDS ARCHIVE FEE 10.00 COUNTY FILING FEE 30.00 JURY 50.00 STATE FILING FEE 50.00 LIBRARY FEE 10.00 MEDIATION CENTER FEE 15.00 STENO 15.00 SECURITY FEE 5.00 INDIGENT FEE 10.00 42.00 JUDICIAL SUPPORT APPELLATE JUDICIAL SYSTE 5.00 ELECTRONIC FILING FEE 20.00 JAMIE SMITH, CLERK DISTRICT COURTS Jefferson County, Texas

By:

ODBC

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June 04, 2015

JAMIE SMITH, DISTRICT CLERK
JEFFERSON COUNTY, TEXAS

Page 1 of 1

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DISTRICT CLERK
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TERESA HAYES

S
IN THE DISTRICT COURT

VS.

S
JUDICIAL DISTRICT

ABIYU AHMED,
P.A.M. TRANSPORT, INC.,
AJK/A PAM CARTAGE CARRIERS,
LLC, AJK/A PAM CARTAGE CARRIER,
AND REGINA MORPHEW

S
IN THE DISTRICT COURT

#### PLAINTIFF'S ORIGINAL PETITION

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, Plaintiff, TERESA HAYES, by and through her attorneys of record, MICHAEL CATT and STEVE PARKHURST, and complain of ABIYU AHMED, P.A.M. TRANSPORT, INC., A/K/A PAM CARTAGE CARRIERS, LLC, A/K/A PAM CARTAGE CARRIER, and REGINA MORPHEW, hereinafter referred to as Defendants, and as grounds would show unto the court the following:

1.

Pursuant to Texas Rule of Civil Procedure 190.4 (Level 3), Plaintiff requests that discovery be tailored to the circumstances of this lawsuit as Plaintiff anticipates there will be a need for substantial discovery.

2.

Plaintiff, TERESA HAYES, is a resident of Orange, Orange County, Texas.

3.

Defendant, ABIYU AHMED, is a resident of Clarkston, Georgia. Service can be

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June 04, 2015

JAMIE SMITH, DISTRICT CLERX
JEFFERSON COUNTY, TEXAS

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Page 1 of 7

Issued at 761 N. Indian Creek 394, Clarkston, Georgia 30021.

Defendant, P.A.M. TRANSPORT, INC., A/K/A PAM CARTAGE CARRIERS, LLC, A/K/A PAM CARTAGE CARRIER (hereinafter referred to as PAM), is a company doing business in the State of Texas. Service can be issued to: Daniel Cushman, Hwy. 412 West, Tonitown, AR 72770.

Defendant, REGINA MORPHEW, is a resident of Orange, Texas. Service can be issued at 176 Nell Street, Orange, Texas 77632.

#### 4. JURISDICTION

The Court has jurisdiction over Defendant REGINA MORPHEW, because that Individual is a Texas resident. The Court has jurisdiction over PAM, and ABIYU AHMED because PAM is a company doing business in the State of Texas and has purposefully established minimum contacts with the State of Texas and has purposefully established minimum contacts with the State of Texas. The Court has jurisdiction of Defendant, ABIYU AHMED, an individual operating a motor vehicle in the State of Texas, because ABIYU AHMED purposefully availed himself of the privilege of driving on Texas roadways and Plaintiff's cause of action arises from such activity. The Court has jurisdiction over the controversy because the damages are within the jurisdictional limits of the court.

#### .5. VENUE

Venue is proper in Jefferson County, Texas. Specifically, venue is allowed in this county because all or a substantial part of the events or omissions occurred in this county.

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Page 2
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JAMIE SMITH, DISTRICT CLERK
JEFFERSON COUNTY, TEXAS
Page 2 of 7

Tex, Civ. Prac. & Rem. Code § 15,002(a)(1),

#### β. FACTS

For cause of action, Plaintiff would show that on or about May 3, 2013, Plaintiff, TERESA HAYES, was injured in an automobile accident while a passenger in a vehicle being driven by REGINA MORPHEW. Defendant, ABIYU AHMED was driving a 2005 Red Peterbilit truck and pulling a 2012 White Hyundal trailer; both owned by PAM. Said tractor/trailer was traveling in the left lane of IH 10 eastbound, and came around a curve in the roadway, and saw that the Defendant's vehicle had slowed down due to slower traffic ahead. Defendant REGINA MORPHEW saw the tractor-trailer coming behind her and attempted to get into the right lane. Defendant, ABIYU AHMED falled to control his speed, violently striking the vehicle being driven by the Defendant REGINA MORPHEW. The impact pushed the Defendant's vehicle into the concrete guardrail on the right shoulder of the highway. As a consequence, Plaintiff sustained injuries and damages made the basis of this lawsuit.

#### 7. NEGLIGENCE

Plaintiff would further show that the accident made the basis of this suit occurred because the named Defendant, ABIYU AHMED, committed various acts or omissions that were a proximate cause of the injuries and damages sustained by the Plaintiff. Said acts and omissions of negligence include:

- a. In failing to keep a proper lookout;
- b. In falling to look for traffic;

Plaintiff's Original Petitlon
Page 3
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Witness my Hand and Seal of Office

June 04, 2015

JAMIE SMITH, DISTRICT CLERK
JEFFERSON COUNTY, TEXAS

- c. In falling to take appropriate evasive action;
- d. In falling to pay attention to the roadway:
- e. In falling to control speed;
- f. In failing to maintain a safe stopping distance;
- g. In failing to apply brakes;
- h. In losing control of Defendant's vehicle;
- I, In failing to apply brakes timely;
- J. In falling to maintain control of the vehicle under the olicumstances;
- k. In dolliding with Plaintiff's vehicle;
- In driving in a negligent and harmful manners
- m. In failing to pay attention to other motorists on the roadway; and in negligently driving in a manner that would reasonably cause damage and harm to others; and
- n. In committing various and other acts and omissions that will be proven at the trial of this cause.

#### 8. NEGLIGENT ENTRUSTMENT

Plaintiff believes the evidence will further show Defendant ABIYU AHMED, was driving a vehicle and/or pulling a trailer owned by Defendant PAM. Further, this Defendant entrusted the tractor truck and trailer to ABIYU AHMED when they knew or should have known that ABIYU AHMED was an unfit and/or incompetent or reckless driver. Thereafter the negligence of ABIYU AHMED was a proximate cause of the injuries and damages sustained by the Plaintiff. Consequently, Defendant, PAM is liable for the damages caused by ABIYU AHMED under the theory of negligent entrustment.



June 04, 2013

JAMIE SMITH, DISTRICT CLERK
JEFFERSON COUNTY, TEXAS

James Smith Page 4 of 7

#### 9. RESPONDEAT SUPERIOR

Plaintiff believes the evidence will further show that Defendant, ABIYU AHMED, was acting in the course and scope of employment with PAM. Consequently, the Defendant, PAM is vicariously liable under the doctrine of respondent superior for the negligent acts or omissions of Defendant, ABIYU AHMED.

10.

Plaintiff would show that the accident made the basis of this suit occurred in part because the named Defendant, REGINA MORPHEW falled to take evasive action, which was a proximate cause of the injuries and damages sustained by the Plaintiff.

#### 11. DAMAGES

Plaintiff, TERESA HAYES, sustained the following elements of injury and damages, proximately caused by the negligence of the Defendants which in the aggregate are in excess of the minimum jurisdictional limits of this Court, which elements of injury and damage include:

- 1. Physical pain and suffering and mental anguish, past and future;
- Lost wages and loss of earning capacity, past and future;
- 3. Physical impairment, past and future;
- 4. Disfigurement, past and future;
- 5. Medical expenses, reasonable and necessary, past and future;
- Miscellaneous expenses, past and future;
- 7. All other damages allowed by Texas Law.

Plaintiff's Original Petition
Page 5
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June 04, 2015

JAMIE SMITH, DISTRICT CLERK
JEFFERSON COUNTY, TEXAS

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#### 12; ALTERNATIVE PLEADINGS

All pleadings are in the alternative.

#### 13. RIGHT TO AMEND

Plaintiff hereby expressly reserves the right to amend her pleadings to conform to the evidence.

#### 14. REQUEST FOR DISCLOSURE

Under Texas Rule of Civil Procedure 194, Plaintiff requests that Defendants all disclose, within 50 days of the service of this request, with Plaintiff's Original Petition; the information or material described in Rule 1942.

#### PRAYER

WHEREFORE PREMISES CONSIDERED, Plaintiff, TERESA HAYES, prays that Defendants, AHMED ABIYU, P.A.M. TRANSPORT, INC., A/K/A PAM CARTAGE CARRIER, and REGINA MORPHEW, be cited to appear and answer herein and that upon final hearing, Plaintiff have judgment over and against the Defendants, judgment for all damages and injuries alleged herein which are in excess of the minimum jurisdictional limits of this Court, and further that Plaintiff have over and against the named Defendants herein such judgment together with pre-judgment interest as allowed by Texas law, post-judgment interest at the legal rate of interest, costs of Court, all other damages as allowed by law and for such other and further relief, both general and specific, in law and in equity, for which Plaintiff may show herself justly entitled.

Plaintiff's Original Petition

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June 04, 2015

JAMIE SMITH, DISTRICT CLERK JEFFERSON COUNTY, TEXAS منسط Page 6 of 7

#### PLAINTIFF RESPECTFULLY REQUESTS A TRIAL BY JURY.

Respectfully submitted,

CATT LAW FIRM, P.C.

MICHAEL CATT

State Bar No: 00796324

1705 16th Street Orange, Texas 77630

(409) 883-2107

Fax: (409) 883-2108

deb@hartlawteam.com

DIES & PARKHURST, LLP

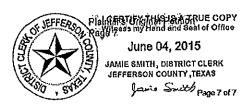
STEVE PARKHURST State Bar No. 00797206 1009 West Green Avenue

Orange, Texas 77630

(409) 883-0892

Fax: (409) 670-0888 sparkhurst@dleslaw.com

ATTORNEYS FOR PLAINTIFF





## JAMIE SMITH JEFFERSON COUNTY DISTRICT CLERK DISTRICT 1086 PEARL STREET, ROOM 203, BEAUMONT, TX 7770 A-197035

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JEFFERSON CO TEXAS
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REQUEST FOR PROCESS

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Section 1: Cause No.	Date
Style:	
VS	,
Section 2:	
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per pleading for copies for service)	
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Note: You must fo	imish one copy of the document/pleading for each party served.
section 4: PARTIES TO BE SEL	RVED (Please type or print):
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Address: Hwy 412	13 1340161 Cashway Howa Law Avacage



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June 04, 2015

JAMIE SMITH, DISTRICT CLERK JEFFERSON COUNTY, TEXAS

Jamie Smith Page 1 of 2

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CATT LAW FIRM, P.C, 1705 16<sup>th</sup> Street Orange, Texas 77630 phone - (409) 883-2107 facsimile - (409) 883-2108

Michael Catt, Attorney

Deb Tozer, Paralegal

April 24, 2015

Mr. Jamie Smith

Jefferson County District Clerk

Jefferson County Courthouse

1086 Pearl Street, Room 203

Beaumont, TX 77701

VIA E-FILE

RE: Cause No.

Teresa Hayes vs. Ablyu Ahmed, P.A.M. Transport, Inc., a/k/a PAM Cartage Carriers, LLC, a/k/a PAM Cartage Carrier, and Regina Morphew

Dear Mr. Smith:

Enclosed for filling in the above referenced matter, please find the following documents:

- 1) Plaintiff's Original Petition, with Request for Disclosure;
- 2) Jefferson County's Request for Process; and
- 3) Civil Case Information Sheet.

Please return the citations for service to my office.

Thank you for your kind assistance in this matter.

Cordially,

MICHAEL CATT

MC/dt CERTIFY THIS IS A TRUE COPY Englishing stands and of office June 04, 2015

Jamie Smith, District Clerk Jefferson County, Texas

Jamie Smith Page 1 of 1

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#### THE STATE OF TEXAS

No. A-0197035

THERESA HAYES VS. ABIYU AHMED ET AL

#### **CITATION**

## 58 th JUDICIAL DISTRICT COURT of JEFFERSON COUNTY, TEXAS

To: AHMED, ABIYU

by serving at:

751 N INDIAN CREEK 394

CLARKSTON, GA 30021

DEFENDANT:

#### NOTICE:

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. Said answer may be filed by mailing same to: District Clerk's Office, 1001 Pearl St., 2nd floor, Beaumont, TX 77701, (or if the case is designated as an E-file case, E-file through Lexis Nexls file and serve) or by bringing it to the office. The case is presently pending before the 58 th District Court of Jefferson County sitting in Beaumont, Texas, and was filed on the 24th day of April, 2015. It bears cause number A-0197035 and is styled:

Plaintiff:

THERESA HAYES

VS.

ABIYU AHMED ET AL

Defendant:

The name and address of the attorney for plaintiff (or plaintiff if pro se) is:

CATT, MICHAEL, Atty. 1705 16TH ST (HART LAW BLDG) ORANGE, TX 77630 0

The nature of the demands of said plaintiff is shown by a true and correct copy of Plaintiff's PETITION (PLAINTIFF'S ORIGINAL) ALSO ATTACHED LETTER DESIGNATING ALL CASES EFILE accompanying this citation and made a part thereof.

Issued under my hand and the seal of said court, at Beaumont, Texas, this the 27th day of April, 2015.

JAMIE SMITH, DISTRICT CLERK JEFFERSON COUNTY, TEXAS

kgan Corbello

Regan

STEELES OF SERVICE STATES

I CERTIFY THIS IS A TRUE COPY Witness my Hand and Seal of Office

June 04, 2015

JAMIE SMITH, DISTRICT CLERK JEFFERSON COUNTY, TEXAS

Jamie Smith Page 1 of 2

RETURN OF	SERVICE
	port 1.02
A-0197035 58 th JUDICIAL DISTRICT COURT THERESA HAYES	
ABIYU AHMED ET AL	
Executed when copy was delivered:	
This is a true copy of the original citation, was delivered to defendant _	, on the day of
,, هر <u></u> ,	Officer
	, County, Texas
	By;, Deputy
ADDRESS FOR SERVICE:	
AHMED, ABIYU	
CLARKSTON, GA 30021 0000 OFFICER'S	மையால்
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County, Texas by delivering to each of mo	ving copy of the Citation at the following times and places, to-wit
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And not executed as to the defendant(s),	
• • • • • • • • • • • • • • • • • • • •	
The diligence used in finding said defendant(s) being:	
and the information received as to the whereabouts of said defendant(s) be	eing:
FEES:	
Serving Petition and Copy \$ Total \$	, Officer
Total \$	, County, Texas
	By:, Deputy
	Affiant
COMPLETE IF YOU ARE A PERSON OTHER THAN A S	UPDIER CONSTARLE, OR CLERK OF THE COURT.
In accordance with Rule 107: The officer of authorized person who serve is not required to be verified. If the return is signed by a person other that signed under penalty of perjury and contain the following statement:  "My name is, my date of bin, my date of bin, first, Middle, Last)	s, or attempts to serve, a citation shall sign and return. The signature is a sheriff, constable or the clerk of the court, the return shall be
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(Street, City, Zip) I DECLARE UNDER PENALTY OF PERJURY THAT THE FORGOIN	IG IS TRUE AND CORRECT.
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June 04, 2015	

JAMIE SMITH, DISTRICT CLERK
JEFFERSON COUNTY, TEXAS
JOHN SMITH Page 2 of 2

CITATION

#### THE STATE OF TEXAS

No. A-0197035

THERESA HAYES VS. ABIYU AHMED ET AL

#### **CITATION**

## 58 th JUDICIAL DISTRICT COURT of JEFFERSON COUNTY, TEXAS

TO: P A M TRANSPORT INC
AKA PAM CARTAGE CARRIES LLC AKA PAM CARTAGE CARRIER
C/O DANIEL CUSHMAN

by serving at: HWY 412 WEST

TONITOWN, AR 72770

DEFENDANT:

#### NOTICE:

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. Said answer may be filed by mailing same to: District Clerk's Office, 1001 Pearl St., 2<sup>nd</sup> floor, Beaumont, TX 77701, (or if the case is designated as an E-file case, E-file through Lexis Nexis file and serve) or by bringing it to the office. The case is presently pending before the 58 th District Court of Jefferson County sitting in Beaumont, Texas, and was filed on the 24th day of April, 2015. It bears cause number A-0197035 and is styled:

Plaintiff;

THERESA HAYES

VS.

ABIYU AHMED ET AL

Defendant:

The name and address of the attorney for plaintiff (or plaintiff if pro se) is:

CATT, MICHAEL, Atty. 170S 16TH ST (HART LAW BLDG) ORANGE, TX 77630 0

The nature of the demands of said plaintiff is shown by a true and correct copy of Plaintiff's PETITION (PLAINTIFF'S ORIGINAL) ALSO ATTACHED LETTER DESIGNATING ALL CASES EFILE accompanying this citation and made a part thereof.

Issued under my hand and the seal of said court, at Beaumont, Texas, this the 27th day of April, 2015.

JAMIE SMITH, DISTRICT CLERK JEFFERSON COUNTY, TEXAS

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June 04, 2015

JAMIE SMITH, DISTRICT CLERK JEFFERSON COUNTY, TEXAS

Page 1 of 2

	OF SERVICE
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THERESA HAYES	
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•	, County, Texas
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with the date of delivery endorsed thereon, together with the accor	npanying copy of the Chation at the following times and places, to with
Name Date/Time	Place, Course and Distance from Courthouse
The diligence used in finding said defendant(s) being:	
and the cause or failure to execute this process is:	
and the information received as to the whereabouts of said defendant	t(s) being:
FEES:	
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COMPLETE IF YOU ARE A PERSON OTHER THAN In accordance with Rule 107: The officer of authorized person who is not required to be verified. If the return is signed by a person othe	By:, Deputy  Affiant  I A SHERIFF, CONSTABLE, OR CLERK OF THE COURT.  serves, or attempts to serve, a citation shall sign and return. The signature r than a sheriff, constable or the clerk of the court, the return shall be  of birth is, and my address is
COMPLETE IF YOU ARE A PERSON OTHER THAN In accordance with Rule 107: The officer of authorized person who is not required to be verified. If the return is signed by a person othe signed under penalty of perjury and contain the following statement:  "My name is, my date, my date, first, Middle, Last)	By:, Deputy  Affiant  I A SHERIFF, CONSTABLE, OR CLERK OF THE COURT. serves, or attempts to serve, a citation shall sign and return. The signature r than a sheriff, constable or the clerk of the court, the return shall be of birth is and my address is  GOING IS TRUE AND CORRECT.
COMPLETE IF YOU ARE A PERSON OTHER THAN In accordance with Rule 107: The officer of authorized person who is not required to be verified. If the return is signed by a person othe signed under penalty of perjury and contain the following statement:  "My name is, my date, my date, first, Middle, Last)  (Street, City, Zip) I DECLARE UNDER PENALTY OF PERJURY THAT THE FORCE	By:, Deputy  Affiant  I A SHERIFF, CONSTABLE, OR CLERK OF THE COURT. serves, or attempts to serve, a citation shall sign and return. The signature r than a sheriff, constable or the clerk of the court, the return shall be  of birth is and my address is  GOING IS TRUE AND CORRECT.
COMPLETE IF YOU ARE A PERSON OTHER THAN In accordance with Rule 107: The officer of authorized person who is not required to be verified. If the return is signed by a person othe signed under penalty of perjury and contain the following statement:  "My name is, my date, my date, my date, first, Middle, Last)  (Street, City, Zip) I DECLARE UNDER PENALTY OF PERJURY THAT THE FORE Executed in, county, State of, on the, on the, under the copy witness my Hand and Seat of Office, June 04, 2015	By:

Jamis Smith Page 2012

CITATION

#### THE STATE OF TEXAS

No. A-0197035

THERESA HAYES VS. ABIYU AHMED ET AL

#### CITATION

## 58 th JUDICIAL DISTRICT COURT of JEFFERSON COUNTY, TEXAS

To: MORPHEW, REGINA

by serving at: 176 NELL STREET

ORANGE, TX 77632

DEFENDANT:

#### NOTICE:

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. Said answer may be filed by mailing same to: District Clerk's Office, 1001 Pearl St., 2nd floor, Beaumont, TX 77701, (or if the case is designated as an E-file case, E-file through Lexis Nexis file and serve) or by bringing it to the office. The case is presently pending before the 58 th District Court of Jefferson County sitting in Beaumont, Texas, and was filed on the 24th day of April, 2015. It bears cause number A-0197035 and is styled:

Plaintiff:

VS.

ABIYU AHMED ET AL

THERESA HAYES

Defendant:

The name and address of the attorney for plaintiff (or plaintiff if pro se) is:

CATT, MICHAEL, Atty. 1705 16TH ST (HART LAW BLDG) ORANGE, TX 77630 0

The nature of the demands of said plaintiff is shown by a true and correct copy of Plaintiff's PETITION (PLAINTIFF'S ORIGINAL) ALSO ATTACHED LETTER DESIGNATING ALL CASES EFILE accompanying this citation and made a part thereof.

Issued under my hand and the seal of said court, at Beaumont, Texas, this the 27th day of April, 2015.

JAMIE SMITH, DISTRICT CLERK JEFFERSON COUNTY, TEXAS

Kigan Corbello

Regan

I CERTIFY THIS IS A TRUE COPY Witness my Hand and Seal of Office

June 04, 2015

JAMIE SMITH, DISTRICT CLERK JEFFERSON COUNTY, TEXAS

James Smith Page 1 of 2

A=0197035 58 th JUDICIAL DISTRICT COURT	OF SERVICE
A-0197035 58 th JUDICIAL DISTRICT COURT	
THERESA HAYES	
ABIYU AHMED ET AL	
Executed when copy was delivered:	d 4
This is a true copy of the original citation, was delivered to defend	ant, on the day of
, 20	Officer
	, Officer , County, Texas
	By:, Deputy
ADDRESS FOR SERVICE: MORPHEW, REGINA	Бу
<del></del>	<u>r's return</u>
Came to hand on the day of , 20	at, o'clock,m., and executed in
County, Texas by delivering to each of	at, o'clock,m., and executed in the within named defendants in person, a true copy of this Citation
with the date of delivery endorsed thereon, together with the accor	npanying copy of the Chatton at the following times and places, to-wit.
Name Date/Time	Place, Course and Distance from Courthouse
And not executed as to the defendant(s),	
The diligence used in finding said defendant(s) being:	
and the cause or failure to execute this process is:  and the information received as to the whereabouts of said defendant	(s) being:
PPPQ.	
***************************************	
Serving Petition and Copy \$	, Officer
Serving Petition and Copy \$	, Officer , County, Texas
FEES: Serving Petition and Copy \$  Total \$	, County, Texas
Serving Petition and Copy \$	By:, County, Texas
Serving Petition and Copy \$  Total \$	By:, County, Texas  By:, Deputy  Affiant
Serving Petition and Copy \$  Total \$  COMPLETE IF YOU ARE A PERSON OTHER THAN  The coordinate with Puls 107. The officer of authorized person who	By:, County, Texas  By:, Deputy  Aftiant  A SHERIFF, CONSTABLE, OR CLERK OF THE COURT, serves, or attempts to serve, a citation shall sign and return. The signature than a sheriff, constable or the clerk of the court, the return shall be
COMPLETE IF YOU ARE A PERSON OTHER THAN In accordance with Rule 107: The officer of authorized person who s is not required to be verified. If the return is signed by a person other signed under penalty of perjury and contain the following statement: "My name is, my date  (First, Middle, Last)	By:, County, Texas  By:, Deputy  Aftiant  A SHERIFF, CONSTABLE, OR CLERK OF THE COURT.  Rerves, or attempts to serve, a citation shall sign and return. The signature rethan a sheriff, constable or the clerk of the court, the return shall be of birth is, and my address is
Serving Petition and Copy \$  Total \$  COMPLETE IF YOU ARE A PERSON OTHER THAN In accordance with Rule 107: The officer of authorized person who sis not required to be verified. If the return is signed by a person other	By:, Deputy  Aftiant  A SHERIFF, CONSTABLE, OR CLERK OF THE COURT. Serves, or attempts to serve, a citation shall sign and return. The signature than a sheriff, constable or the clerk of the court, the return shall be of birth is, and my address is
COMPLETE IF YOU ARE A PERSON OTHER THAN In accordance with Rule 107: The officer of authorized person who s is not required to be verified. If the return is signed by a person other signed under penalty of perjury and contain the following statement: "My name is	By:, Deputy  Aftiant  A SHERIFF, CONSTABLE, OR CLERK OF THE COURT. Serves, or attempts to serve, a citation shall sign and return. The signature than a sheriff, constable or the clerk of the court, the return shall be of birth is, and my address is
COMPLETE IF YOU ARE A PERSON OTHER THAN In accordance with Rule 107: The officer of authorized person who s is not required to be verified. If the return is signed by a person other signed under penalty of perjury and contain the following statement: "My name is	By:, County, Texas  By:, Deputy  Aftiant  A SHERIFF, CONSTABLE, OR CLERK OF THE COURT. Serves, or attempts to serve, a citation shall sign and return. The signature of that a sheriff, constable or the clerk of the court, the return shall be constable of birth is, and my address is  BOING IS TRUE AND CORRECT.

James Smith Page 2 of 2

CITATION

#### THE STATE OF TEXAS

No. A-0197035

THERESA HAYES VS. ABIYU AHMED ET AL

#### CITATION

## 58 th JUDICIAL DISTRICT COURT of JEFFERSON COUNTY, TEXAS

To: P A M TRANSPORT INC
BY SERVING ITS PRESIDENT
DANIEL CUSHMAN

by serving at: 297 HENRY DE TONTI BLVD

TONITOWN, AR 72770

DEFENDANT:

#### NOTICE:

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. Said answer may be filed by mailing same to: District Clerk's Office, 1001 Pearl St., 2nd floor, Beaumont, TX 77701, (or if the case is designated as an E-file case, E-file through Lexis Nexis file and serve) or by bringing it to the office. The case is presently pending before the 58 th District Court of Jefferson County sitting in Beaumont, Texas, and was filed on the 24th day of April, 2015. It bears cause number A-0197035 and is styled:

Plaintiff;

VS.

ABIYU AHMED ET AL

THERESA HAYES

Defendant:

The name and address of the attorney for plaintiff (or plaintiff if pro se) is:

CATT, MICHAEL, Atty, 1705 16TH ST (HART LAW BLDG) ORANGE, TX 77630 0

The nature of the demands of said plaintiff is shown by a true and correct copy of Plaintiff's PETITION (PLAINTIFF'S ORIGINAL) ALSO ATTACHED LETTER DESIGNATING ALL CASES EFILE accompanying this citation and made a part thereof.

Issued under my hand and the seal of said court, at Beaumont, Texas, this the 27th day of April, 2015.

JAMIE SMITH, DISTRICT CLERK JEFFERSON COUNTY, TEXAS

Kigan Corbello

Regan

J CERTIFY THIS IS A TRUE COPY Witness my Hend and Seal of Office

June 04, 2015

JAMIE SMITH, DISTRICT CLERK
JEFFERSON COUNTY, TEXAS

James Smith Page 1 of 2

RETURN	OF SERVICE
A-0197035 58 th JUDICIAL DISTRICT COURT	
THERESA HAYES	
ABIYU AHMED ET AL	
Executed when copy was delivered:  This is a true copy of the original citation, was delivered to defend	ant on the day of
, 20	att and any of
, 20,	, Officer
	, County, Texas
	By:, Deputy
ADDRESS FOR SERVICE: P A M TRANSPORT INC BY SERVING ITS PRESIDENT	
TONITOWN, AR 72770 0000 OFFICE	r's return
Came to hand on theday of, 20, County, Texas by delivering to each of	the within named defendants in person, a true copy of this Citation
with the date of delivery endorsed thereon, together with the account	panying copy of the Citation at the following times and places, to-wit:
Name Date/Time	Place, Course and Distance from Courthouse
And not executed as to the defendant(s),	
The diligence used in finding said defendant(s) being:	
The dingence used in moning said deterioration being.	
and the cause or failure to execute this process is:	
and the information received as to the whereabouts of said defendant	(s) being:
FEES:	
Serving Petition and Copy \$	
Total \$	, Officer
	County, Texas
	•
	By:, Deputy
	Affiant
In accordance with Rule 107: The officer of authorized person who s is not required to be verified. If the return is signed by a person other	A SHERIFF, CONSTABLE, OR CLERK OF THE COURT. erves, or attempts to serve, a citation shall sign and return. The signature than a sheriff, constable or the clerk of the court, the return shall be of birth is, and my address is
(Street, City, Zip) I DECLARE UNDER PENALTY OF PERJURY THAT THE FORG	HOING IS TRUE AND CORRECT.
Executed in, County, State of, on the	day of
	Declarant/Authorized Process Server
FFERO I CERTIFY THIS IS A TRUE COPY	(Id # expiration of certification)
Witness my Hand and Seal of Office	(Id# expiration of certification)
Witness my Hand and Seal of Office  June 04, 2015	(Id # expiration of certification)
Witness my Hand and Seal of Office	(Id # expiration of certification)

#### FAHL & ASSOCIATES, P.C.

Attorneys at Law 3900 Essex Lane, Suite 330 Houston, Texas 77027 Tel: (713) 627-7800 Fax: (713) 627-7804 FILED DISTRICT CLERK OF JEFFERSON CO TEXAS 5/14/2015 3:45:43 PM JAMIE SMITH DISTRICT CLERK A-197035

Glenn J. Füll Board Certified - Personal Injury Triol Law Texas Board of Legal Specialization

May 14, 2015

VIA E-FILE

Jamie Smith, District Clerk Jefferson County Courthouse ATTN: JENNIFER 1001 Pearl Street, Room 203 Beaumont, Texas 77701

Re: Case No. A-197035; Theresa Hayes vs. Abiyu Ahmed, PAM Transport, Inc. a/k/a PAM

Cartage Cartage Carriers, LLC, et al; In the District Court of Jefferson County, Texas, 58th

Judicial District.

Dear Jennifer:

Please allow this correspondence to serve as a formal request to obtain *CERTIFIED* copies of the above-referenced cause, in its entirety.

Upon completion of the above request, please forward to my attention the *CERTIFIED* copies to the above-referenced address.

By copy hereof, I am forwarding a copy of the document(s) to all attorneys of record pursuant to the Texas Rules of Civil Procedure.

Should you have any questions or comments, please do not hesitate to contact my paralegal, Glynis Malyeaux, at (713) 627-7800 ext. 319. Thank you for your attention hereto.

Sincerely,

FAHL & ASSOCIATES, P.C.

/s/Glenn J. Fahl GLENN J. FAHL

GJF/gm

cc: Via efile and/or via email: deb@hartlawteam.com and/or via facsimile (409) 883-2108 Michael Catt

CATT LAW FIRM, P.C. certify this is a true copy vitness my hand bhu saal of thice fire fire of 2018 as 77630

JAMIE SMITH, DISTRICT CLERK
JEFFERSON COUNTY, TEXAS
Jamie Smith Page 1 of 1

Via efile and/or via email: sparkhurst@dieslaw.com and/or via facsimile (409) 670-0888 Steve Parkhurst DIES & PARKHURST, LLP 1009 West Green Avenue Orange, Texas 77630



#### Case 1:15-cv-00219-RC Document 1-2 Filed 06/08/15 Page 24 of 32 PageID #: 29

RECEIPT FOR: FEES

E-FILING

Cause No: A-0197035

Date: 5/14/15

Receipt No: 313747

Style: THERESA HAYES

VS ABIYU AHMED ET AL

Paid By: NO ATTORNEY AT THIS TIME

ELECTRONIC FILING FEE (\$

P

Amt Paid:

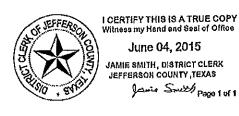
61.00 EFILE005290742-0 Bal Due:

2.00 59.00

COPIES

JAMIE	SMITH,	CLERK	DIS	STRICT	COURTS
	efferson				

By	/:	
	ODBC	Deputy



FILED

FI

A-197036

CITATION

THE STATE OF TEXAS

JAMIE SMITH : DISTRICT CLERK

No. A-0197035

THERESA HAYES VS. ABIYU AHMED ET AL

CITATION

58 th JUDICIAL DISTRICT COURT of JEFFERSON COUNTY, TEXAS

To: P A M TRANSPORT INC
AKA PAM CARTAGE CARRIES LLC AKA PAM CARTAGE CARRIER
C/O DANIEL CUSHMAN

by serving at: HWY 412 WEST

TONITOWN, AR 72770

DEFENDANT:

NOTICE:

You have been sued. You may employ an alterney. If you or your alterney do not file a written answer with the clerk who issued this citation by 10:00 a.m., on the Manday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. Sald answer may be filed by qualling same to: District Clerk's Office, 1001 Pearl St., 2<sup>rd</sup> floor, Beaumont TX 77701, (or, if the case) is designated as an E-file case, E-file through Lexis Nexis file and serve) or by bringing it to the office. The case is presently pending before the 58 th District Court of Jefferson County sitting in Beaumont, Texas, and was filed on the 24th day of April, 2015. It bears cause number A-0197035 and is tyled:

Plaintiff:

VS.

авіуй Аййер ет ад

THERESA HAYES

Défendant:

The name and address of the attorney for plaintiff (of plaintiff if pro se) is:

CATT, MIGHAEL, Alty, 1705 16TH ST (HART LAW BLDG) ORANGE, TX 17650 0

The nature of the demands of said plaintiff is shown by a true and correct copy of Plaintiff's PETITION (PLAINTIFF'S ORIGINAL) ALSO ATTACHED LETTER DESIGNATING ALL CASES EFILE accompanying this citation and made a part thereof.

Issued under my hand and the seal of said count at Benithon), Texas, tills the 27th day of April, 2015.

JAMIÈ SMITH, DISTRICT CLERK JEPPERSON COUNTY, TEXAS

higan Gorbello

Regan



I CERTIFY THIS IS A TRUE COPY Witness my Hand and Seal of Office

June 04, 2015

Jamie Smith, district Clerk Jefferson County, Texas

James Smith Page 1 of 2

	The state of the s
RETURN OF SERV	VÍCB
A-0197035 58 th JUDICIAL DISTRICT COURT	+1144 ;
THERESA HAYES	
ABIYU AHMED ET AL	:
Busanti Sarkan samuni 1910 1	
This is a true copy of the original citation, was delivered to defendant	11 WANDOWT On the 12/Hay of
My ,2015.	3 011 110 120 011/01
, , ,	, Officér
	, County, Texas
	By: Deputy
ADDRESS FOR SERVICE: P A M TRANSPORT INC	
AKA PAM CARTAGE CARRIES LLC AKA PAM CARTAGE CARRIER	
A STATE OF S	
TONITOWN, AR 72770 0000	÷
OFFICER'S RETURN	RN
Came to hand on the 12 day of MHy 2015 at 915	tamed defendants in person, a true copy of this Citation
with the date of delivery endorsed thereon, together with the accompanying co	py of the Citation at the following times and places, to-wit:
Name Date/Time	Place, Course and Distance from Courthouse
	:
And not executed as to the defendant(s),	•
The diligence used in finding said defendant(s) being:	
and the cause or failure to execute this process is:  and the information received as to the whereabouts of said defendant(s) being:	
· · · · · · · · · · · · · · · · · · ·	
FEES:	
Serving Petition and Copy \$ Total \$	<b>^</b>
Total 3	Officer County Towns
**************************************	, County, Texas
. Ву: _	, Deputy
Affia	në
	··-
COMPLETE IF YOU ARE A PERSON OTHER THAN A SHERIFI in accordance with Rule 107: The officer of authorized person who serves, or atteris not required to be verified. If the return is signed by a person other than a sherif signed under penalty of perjury and contain the following statement:  "My name is WENDELL SED", my date of birth is	mpls to serve, a citation shall sign and return. The signature if, constable or the clerk of the court, the return shall be grand my address is
WP.	day of MAY 2015  well Policy  minus Authorized Process Server  S-01-07 Exp-12-31-15  expiration of certification)
CERTIFY THIS IS A TRUE COPY	
Witness my Hand and Seal of Office	
\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\	

JUNE 14 2013

JAMIE SMITH, DISTRICT CLERK
JEFFERSON COUNTY, TEXAS

Page 2 of 2

FILED

5/19/2015 9:20:49 AN

CITATION

THE STATE OF TEXAS

JAMIE SMITH DISTRICT CLERK

A-197035

No. A-0197035

THERESA HAYES VS. ABIYU AHMED ET AL

#### CITATION

#### 58 th JUDICIAL DISTRICT COURT of JEFFERSON COUNTY, TEXAS

PAM TRANSPORT INC BY SERVING ITS PRESIDENT DANIEL CUSHMAN

by serving at: 297 HENRY DE TONTI BLVD

TONITOWN, AR 72770

DEFENDANT:

NOTICE:

You have been sued. You may employ an alterney, If you or your atterney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. Said answer may be filed by malling same to: District Clerk's Office, 1001 Pearl St., 2<sup>rd</sup> floor, Beaumont, TX 77701, (or if the case is designated as an E-file case, E-file through Lexis Nexis file and serve) or by bringing it to the office. The case is presently pending before the 58 th District Court of Jefferson County sitting in Beaumont, Texas, and was filed of the 24th day of April, 2015. It bears cause number A-0197035 and is styled:

Plaintiff:

VS.

abiyu ahmed et al

THERESA HAYES

Desendant:

The name and address of the attorney for plaintiff (of plaintiff if pro so) is:

ÇÂTT: MIĞHAÊL. AİIV. 1705 IGTH ŠT (HART LAW BLDG) ORANGE, TX 17000 0

The nature of the demands of said plaintiff is shown by a true and confect copy of Plaintiff's PETITION (PLAINTIFF'S ORIGINAL) ALSO ATTACHED LETTER DESIGNATING ALL CASES BFILE accompanying this citation and made a part thereof.

Issued under my hand and the seal of said court an Beauthont, Texas, this the 27th day of April, 2015.

JAMIÈSMITH, DISTRICT CLERK "JEFFERSON COUNTY, TEXAS

Kigan Corbello

Regan



( CERTIFY THIS IS A TRUE COPY Wilness my Hand and Seal of Office

June 04, 2015

JAMIE SMITH, DISTRICT CLERK JEFFERSON COUNTY, TEXAS

Jamia Smith Page 1 of 2

	rn of service
A-0197035  THERESA HAYES  ABIYU AHMED ET AL  Executed when copy was delivered:  This is a true copy of the original citation, was delivered to define the copy of the copy.	endant <u>PAM TEANS POLT</u> , on the 12 day of
•	, County; Texas
Address for Service: P a M transport inc By Serving its president	By:, Deputy
TONITOWN, AR 72770 0000	
Came to hand on the 12 day of May , 201.	CER'S RETURN  (at 7:57 o'clock A.m., and executed in of the within named defendants in person, a true copy of this Chation companying copy of the Citation at the following times and places, to-wit:  Place, Course and Distance from Courthouse
And not executed as to the defendant(s),	
The diligence used in finding said defendant(s) being:	
and the cause or fallure to execute this process is:	
and the information received as to the whereabouts of said defende	anks) being:
FEES: Serving Petition and Copy \$ Total \$	, Officer, County, Texas
	By:, Deputy
	Affiant
In accordance with Rule 107: The officer of authorized person whis not required to be verified, if the return is signed by a person of signed under regality of persons and contain the following statement	the of birth is 4-6-58, and my address is  72-72-7  RECOING IS TRUE AND CORRECT:  the 12 day of 19-9-7-2-6-15.  Declarant/Authorized Process Server
	(ld #expiration of certification)
LOERTIFY THIS IS A TRUE COPY Wikness my Hand and Seal of Office	
\&\ June 04, 2015	

June 04, 2015

JAMIE SMITH, DISTRICT CLERK
JEFFERSON COUNTY, TEXAS

Page 2 of 2

#### 

RECEIPT FOR: FEES

E-FILING

Cause No: A-0197035

Date: 5/19/15

Receipt No: 314033

P

Style: THERESA HAYES

vs ABIYU AHMED ET AL

Paid By: CATT, MICHAEL

Amt Paid:

2.00 EFILE005333423-0 Bal Due:

2.00 ELECTRONIC FILING FEE (\$

JAMIE SMITH, CLERK DISTRICT COURTS Jefferson County, Texas

Ву:		
	ODBC	Deputy



**FILED** 5/21/2015 4:34/5

CITATION

THE STATE OF TEXAS

JAMIE SMITH DISTRICT CLERK A-197035

No. A-0197035

THERESA HAYES VS. ABIYU AHMED ET AL

#### CITATION

#### 58 th JUDICIAL DISTRICT COURT of JEFFERSON COUNTY, TEXAS

MORPHEW, REGINA

by serving at: 176 NELL STREET

ORANGE, TX 77632

DEFENDANT:

NOTIÇE:

You have been sued: You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday poxt following the expiration of twenty days after you were served this citation and potition, a default judgment may be tilten against you. Said answer may be filed by mailing same to: District Clerk's Office, 1001 Poarl St., 2<sup>rd</sup> floor, Beaumont, TX 77701, (or litthe case is designated as an E-file case, E-file through Lexis Nexis file and serve) or by bringing it to the office. The case is presently pending before the 58 th District Court of Jofferson County sitting in Beaumont, Texas, and was filed on the 24th day of April, 2015. It bears cause number A-0197035 and is styled:

VS.

abiyų ahmed et al 🕏

Plaintiff:

Defendant:

The name and address of the attorney for plaintiff (or plaintiff if pro se) is:

GATT, MICHABL, AND 1705 ICTH ST (HARTELAW BLDG) ORANGE 1X 77630 0

The nature of the domainds of said plaintiffis shown by a true and correct copy of Plaintiff's PETITION (PLAINTIFF'S ORIGINAL) ALSO ATTACHED LETTER DESIGNATING ALL CASES FILE accompanying this citation and made a part thereof. Mrs with y 2"

issued under my hand and the seal of said court, at Beaumont, Texas, this the 27th day of April, 2015.

JAMIE SMITH, DISTRICT CLERK JEFFERSON COUNTY, TEXAS

haan Corbello



I CERTIFY THIS IS A TRUE COPY Witness my Hand and Seal of Office

June 04, 2015

JAMIE SMITH, DISTRICT CLERK JEFFERSON COUNTY, TEXAS

Jamie Smith page 1 of 2

8	DF SERVICE
A-0197035 58 th JUDICIAL DISTRICT COURT	
THERESA HAYES	
ABIYU AHMBD ET AL	
Executed when copy was delivered:	
This is a true copy of the original citation, was delivered to defendant	f, on the day of
, «v,	
	, Officer
	County, Texas
ADDRESS FOR SERVICE:	By:Deputy
MORPHEW, REGINA	
OBANCE TO THE OR ALLE	
ORANGE, TX 77632 0000	a ribovinsi
Como la hand on the St day of Mark	RETURN
Came to hand on the A day of MAY, 2015, at Came to hand on the Alexander of the with the date of delivery endorsed thereon together with the date of delivery endorsed thereon together with the date of delivery endorsed thereon together with the day of the same together with the day of the with the day of the same together with the same together wi	Within named defendants in person a true name of the Charles
The state of the s	BYISH CODY Of the Chailon at the tollowing times and blocks toculer -
Regime Murplan 5/7/15 11:30	Place, Course and Pistance from Courthouse
Kejun 1 1/5/15 11.31	UNA 176 MEIL, WKANSE, Ro
And not executed as to the defendant(s),	£
The diligence used in finding said defendant(s) being:	
and the cause or failure to execute this process is:	A-g
and the information received as to the whereabouts of said defendant(s) b	Albra
FEES:	
Serving Polition and Copy \$	
Total \$	Officer
	, County, Texas
	By:, Deputy
	AMant
COMPLETE VOIL 188 1 BENORM ONLINE WILLS	
COMPLETE IF YOU ARE A PERSON OTHER THAN A SI In accordance with Rule 107: The officer of authorized person who serve	HERIFF, CONSTABLE, OR CLERK OF THE COURT,
13 not reduited to be actition it the tetril is signed by a beison other than	n a sheriff, constable of the clerk of the court, the return shall be
signed under pushity of perjury and contain the following statement: "My name is 1 20 - 2 MES Less Day date of ble	- 151
4901 (First Middle Lest) SO 4 201	rth is 12 /8/60, and my address is
- 10 MICOLEN, OKANIKA	1x 77632
(Street, City, Zip)  1 DECLARE UNDER PENALTY OF PERJURY THAT THE FORDOIN	IG IS TRUE AND COPPECT
1/4 - 0	AA A Dis
Executed in Carconty, State of, on the	The day of 10 2.0) S
	Bu C. Kul
-61.0	Declarant/Authorized Process Server
5/1/15	- TO14)
11:30	(ld # expiration of certification)
I OERTIFY THIS IS A TRUE COPY Wilness my Hend end Seal of Office	
June 04, 2015	a a constant of the constant o
JAMIE SMITH, DISTRICT CLERK	the state of the s

Janie Saud Page 2 of 2

#### 

RECEIPT FOR: FEES

E-FILING

Cause No: A-0197035

Date: 5/22/15 Receipt No: 314412

Style: THERESA HAYES

vs ABIYU AHMED ET AL

Paid By: CATT, MICHAEL

Amt Paid:

2.00 EFILE005387278-0 Bal Due:

2.00 ELECTRONIC FILING FEE (\$

JAMI.	E	SMITH,	CLERK	DIS	STRICT	COURTS	
	Je	fferson	Count	:у,	Texas		

 - · · · · · · · · · · · · · · · · · · ·		
By:		
 ODBC	Deputy	



I CERTIFY THIS IS A TRUE COPY Witness my Hand and Seal of Office

June 04, 2015

JAMIE SMITH, DISTRICT CLERK JEFFERSON COUNTY, TEXAS

Paris Smith Page 1 of 1